

New law authorizes the office of state police, the attorney general's office, a member of the Dept. of Justice Internet Crimes Against Children Task Force, or the sheriff investigating a sex offense where the victim is a minor, or the offender reasonably believes the victim is a minor, to issue an administrative subpoena to obtain certain information related to the Internet account or online identifier. New law applies when there is reasonable cause to believe that an Internet service account or online identifier has been used in the commission of the offense or in the exploitation of children.

New law provides that the administrative subpoena may be used to obtain the electronic mail address, Internet username, Internet protocol address, name of the account holder, billing and service address, telephone number, account status, method of access to the Internet, and the automatic number identification records if access is by modem.

New law provides that any additional information must be obtained through other lawful process.

New law provides for the destruction of any of the information upon expiration of time limitations for prosecution.

New law provides that administrative subpoenas issued pursuant to new law shall comply with federal laws governing records concerning an electronic communication service or remote computing service.

Effective August 15, 2010.

(Adds C.Cr.P. Art. 732.1)